

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2008, a true copy of the Notice of Defendants' Motion To Disqualify Robert L. Garber as Plaintiff and Dismiss This Derivative Action and Memorandum of Law in Support of Defendants' Motion To Disqualify Robert L. Garber as Plaintiff and Dismiss This Derivative Action were served by hand and via the Court's CM/ECF system upon the following:

Joe R. Whatley, Jr., Esq.
Deborah Clark-Weintraub, Esq.
Whatley Drake & Kallas, LLC
1540 Broadway, 37th Floor
New York, New York 10036

/s/ Gerald L. Black, Jr.
Gerald L. Black, Jr.